

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-003785

09/21/2018

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT  
T. Cooley  
Deputy

COMPLETE TECHNOLOGY RESOURCES INC DAVID MARHOFFER

v.

TIMITHEE K HUGGINS, et al.

SHANE D BUNTROCK

JUDGE WHITTEN

BENCH TRIAL SET

IN CHAMBERS

This is the time set for telephonic trial scheduling conference. Plaintiff is represented by counsel, David Marhoffer. Defendants are represented by counsel, Shane D. Buntrock.

The Court conducts a scheduling conference. Based thereon, the Court enters the following orders:

Bench Trial Set

1. This matter is set for a **4-day Bench Trial** on **January 21, 22, 23, and 24, 2019 at 8:30 a.m.** in this division.

Judge Christopher Whitten  
Maricopa County Superior Court  
101 West Jefferson Street  
East Court Building, Courtroom 612  
Phoenix, AZ 85003

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A record of the proceedings will be made by CD in lieu of a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may request a CD of the proceedings for a \$30.00 charge. If a CD is requested, please obtain a form from the bailiff or from the Self Center to request a daily copy of a court hearing or trial proceeding being conducted

Final Pretrial Management Conference Set

2. A **Final Pretrial Management Conference** is set on **January 11, 2019 at 11:00 a.m.** in this division. All lead trial counsel shall personally appear.

The joint pretrial statement in accordance with Rule 16(d), A.R.C.P., is **due by 5:00 p.m., on January 8, 2019. Plaintiff shall provide a draft of the pretrial memorandum to Defendant(s) no later than January 3, 2019.**

Pursuant to the foregoing trial setting, the Court enters the following additional orders:

1. Motions in limine shall be filed no later than **December 12, 2018**. Prior to filing any motion in limine, the parties must meet and confer. Unless prior written leave of court is obtained for good cause shown, no party may file more than three (3) motions in limine, including all subparts.
2. Counsel shall meet at least **five (5) days before** the pretrial management. Each attorney shall discuss witnesses called and estimate the time for his or her direct examination of his or her witnesses and his or her cross-examination of opposing witnesses. In addition, counsel will estimate the time they will need for opening statements and closing arguments. **IN PREPARING, BEAR IN MIND THAT ONE TRIAL DAY ALLOWS FOR APPROXIMATELY FIVE (5) HOURS OF ACTUAL TRIAL TIME.**
1. Prior to submitting the exhibits for trial to the division, **counsel shall meet and confer** to determine that there are no duplicate exhibits from either party. Duplicate exhibits and original depositions will not be marked. At least **two weeks prior to trial**, counsel or their knowledgeable assistants shall contact the clerk of this division at **602-506-7514** to discuss the procedure for the submission of the exhibits. No later than **one week before trial**, the trial lawyers shall submit all exhibits to the clerk of the division for marking unless otherwise approved by the clerk. The exhibits will be marked numerically and serially - Plaintiff's first, Defendant's second. **Every exhibit must be securely bound by a staple, prong or in a binder of some sort. Exhibits not**

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**securely bound or bound with binder clips or rubber bands will not be accepted. Depositions will not be marked as exhibits in any content for any reason.**

The Court does not want a "Bench Book" of all the exhibits marked by either party. If there are a few crucial Exhibits which counsel want the Court to have, copies of those may be provided on the first day of trial.

2. All documents and pleadings described above shall be delivered or telefaxed to opposing counsel on the date they are delivered to the Court.

Time Management

Please note that there are approximately 5 hours of trial time each full day, which includes two 15-minute breaks and 1½ hours for lunch. Each party shall be allotted half of the total time to present its case.

**NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.**

**LATER**

Due to that January 21, 2018 is Martin Luther King Day,

IT IS ORDERED vacating the 4-day Bench Trial set on January 21, 22, 23, and 24, 2019, and resetting a **4-day Bench Trial for January 22, 23, 24, and 25, 2019** in this division.